

**U.S. COMMODITY FUTURES TRADING COMMISSION**

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Via CM/ECF

The Hon. Mark Langer
Clerk of the Court
U.S. Court of Appeals for the District of Columbia Circuit
333 Constitution Avenue, N.W.
Washington, D.C. 20001

RE: *KalshiEx LLC v. CFTC*, No. 24-5205 (D.C. Cir.)

Dear Mr. Langer,

I write, under Rule 34 of the Circuit Rules of the United States Court of Appeals for the District of Columbia, to notify the Court and counsel for Appellee that, should this Court permit, Appellant CFTC will provide copies of the attached handout to the panel and opposing counsel during the oral argument in the above-captioned case, scheduled for 2:00p.m. on September 19, 2024. While Circuit Rule 34 requires 7 days' notice, we respectfully note that oral argument was scheduled on September 16, 2024, less than seven days before argument.

The document is a single page visual aid that highlights language from the statutory provision at issue in this litigation. We respectfully submit that the document might assist the Court in considering contested issues about the meaning of certain statutory terms.

Respectfully Submitted,

/s/ Anne W. Stukes
Deputy General Counsel

Enclosure